



City of Carmel

CARMEL PLAN COMMISSION

January 17, 2006

Minutes

The regularly scheduled meeting of the Carmel Plan Commission met at 6:00 PM, January 17, 2006 in the Council Chambers of City Hall, Carmel, Indiana. The meeting opened with the Pledge of Allegiance.

Members Present: Jerry Chomanczuk, Leo Dierckman, Wayne Haney, Rick Ripma, Steve Stromquist, Madeleine Torres, and Susan Westermeier, thereby establishing a quorum.

The minutes of the December 20, 2005 meeting were approved as submitted.

Carol Schleif, Mayoral Appointment, was sworn in as the newest member of the Plan Commission; the Oath of Office was administered by John Molitor, Legal Counsel.

Election of Officers:

Jerry Chomanczuk was elected President by Unanimous Consent.

Leo Dierckman was elected Vice President by Unanimous Consent.

Susan Westermeier was elected as an At-Large member by Unanimous Consent.

Wayne Haney accepted the appointment to the Hamilton County Plan Commission.

Madeleine Torres was reconfirmed as the Carmel Plan Commission appointment to the Board of Zoning Appeals.

F. Communications, Bills, Expenditures & Legal Counsel Report: John Molitor reported that there is no pending litigation and nothing further to report at this time.

G. Reports, Announcements, & Department Concerns

Matt Griffin reported that the Gateway Pavilion that appeared on the December 20, 2005 Agenda was continued at that meeting. Since then, however, a new petition has been filed on this project and it will come before the Commission in February.

Reminder: The annual Training Session will be held February 4, 2006 at the Village of WestClay;

details will be published soon.

Matt Griffin gave a brief Overview of the first item of business for the Carmel Redevelopment Commission Economic Development Area, Parcel 12 on Range Line Road. Parcel 12 is the former location of the original O'Malia store and bakery. Currently there is a liquor store on the premises.

1G. CRC Economic Development Area: Parcel 12

Richard Starkey, attorney with Barnes & Thornburg, Acting Bond Counsel for the City of Carmel on this particular project appeared before the Commission. The Redevelopment Commission has designated Parcel 12 as an Economic Development Area within the City and under the Statute, the Plan Commission is charged with reviewing this plan and the Declaratory Resolution, then determining whether or not it conforms to the plan of development for the City of Carmel (the Comprehensive Plan.) If approved by the Plan Commission, the Resolution would be forwarded to the City Council and then returned to the Redevelopment Commission for final approval.

John Molitor commented that the role of the Plan Commission is to review the designation and determine whether or not it conforms to the Comprehensive Plan for the City—not to second-guess the work of the Redevelopment Commission.

Mr. Starkey reported that Parcel 12 is contemplated to be a PedCor Development of mixed retail, possible offices.

Leo Dierckman made formal motion to approve the Declaratory Resolution and to confirm that the Plan for Parcel 12 of the Economic Development Area conforms to the Plan of Development for the City of Carmel, seconded by Rick Ripma, **APPROVED** 8-0.

H. Public Hearings:

1H. Docket No. 05120012 DP/ADLS: Arden Townhomes

The applicant seeks approval for a 90-unit townhome development on 12.7 acres. The site is located at 1940 E 136th St. and is zoned PUD/Planned Unit Development. Filed by Jim Shinaver of Nelson & Frankenberger for Buckingham Properties, Inc.

Jim Shinaver, attorney with Nelson & Frankenberger appeared before the Commission representing the applicant. Also in attendance: David Leazenby and Sarah Nasuti of Buckingham Properties; Engineer Rich Kelly of EMH&T Engineering; Matt Brown, Traffic Engineer with A&F Engineering; and Kenny Wynder of Ryland Homes—proposed builder for this site.

Buckingham Properties is seeking Development Plan and ADLS approval for a residential townhome development on the real estate located at 1940 East 136th Street. The property is north of and adjacent to 136th Street; west of and adjacent to the Carmel High School Football Stadium; south of and adjacent to the Cool Creek Apartments, and east of Range Line Road. This property was recently re-zoned to PUD/Planned Unit Development by the City Council.

Located north of and adjacent to the parcel is the future Cool Creek Trail extension. The southern portion of the site contains the ingress/egress point for vehicular traffic. The townhome units and buildings will be located on the eastern portion of the site. The petitioner is also preserving approximately 3.5 acres of wooded area on the western portion of the site—delineated as a tree conservation area on the site plan. The project will consist of 90 townhome units and including “banked” parking spaces, the guest parking ratio is 4.88 parking spaces per unit.

The color landscape plan for the project shows the internal plantings, the perimeter plantings, and the base of building landscape plantings. In addition to the tree conservation area that will exist on the western portion of the site, there is significant internal plantings along the internal roadways as well as base building landscaping.

The petitioner is also providing a bike/pedestrian access to their site on the northern portion of the property that will allow bicyclists and pedestrians to access the future Cool Creek extension. In addition to the access from the site to the Cool Creek Trail, the petitioner has agreed with the City of Carmel to assist in the construction of an off-site trail adjacent to their eastern property line that will consist of a 12-foot asphalt path that will also provide another means of access to the Cool Creek Trail, just east of the site on real estate that is actually owned by the School Board. However, the petitioner has been in discussion with the School Board and others and an arrangement can be worked out to assist in constructing the 12-foot asphalt trail that can wrap and provide access to the Cool Creek Trail extension. Once the Cool Creek Trail is completed and extended, it would go in a westerly direction toward Range Line Road that is intended to provide a semi-connection to the Monon Trail.

The front Building elevations will consist of brick; the side elevations will contain brick along the first floor and the second and third floor elevations will consist of Hardy-Plank. Sarah Nasuti distributed color elevations to the Commission members. The elevation for the rear-load garage townhome product was also shown.

The entry-way sign detail consists of a cast stone sign placed within a brick wall that will also include black aluminum, ornamental fencing. The lighting plan and lighting fixtures was briefly shown, and a copy of the approved PUD Ordinance with all exhibits is contained in the information packets.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Comments, Matt Griffin: The Department is recommending that this item be referred to the Special Studies Committee on February 7th for further discussion. The petitioner is to bring outlined items in the Department Report to the meeting or make them available to the Staff prior to the meeting

Rick Ripma asked about the elevations that would be visible to the neighbors.

David Leazenby said there is substantial amount of trees that would serve as a buffer between the school parking lot and the project; the north side would be next to the trail. What would be visible to the public would be from Smokey Row Road—from the parking lot, the buildings would not be visible; from the trail, brick would be seen on the first floor of the northern-most unit. David Leazenby said the petitioner would commit to brick on the first floor of the northern-most units that are visible from the Trail.

Jerry Chomanczuk asked about the flood plain, the detention pond, and how high the banks are—is there any concern that Cool Creek would flood its banks and overflow the detention ponds. This can be addressed at Committee.

Carol Schleif asked about foundation plantings—it seems somewhat sparse along the trail on the north side. David Leazenby responded that he would look at this—it might be an oversight from the landscape architect—this can also be addressed at Committee.

Sue Westermeier asked about the time frame for the trail to be built in relation to the development and whether or not there was any problem with emergency access.

David Leazenby said that the petitioner is actually constructing the trail; the School district is giving an easement to the City and the City is allowing them to build the trail in conjunction with their project. The construction of the trail will be a two-year project and the trail will be completed before the site is finished being built—probably this fall. A more specific date can be confirmed at Committee.

Jim Shinaver, attorney noted that this project has had two TAC reviews and access was discussed thoroughly at that time; however, the access would be double-checked and reported at Committee.

Docket No. 05120012 DP/ADLS, Arden Townhomes was referred to the Special Studies Committee for further review on February 7, 2006 in the Caucus Rooms of City Hall, Carmel, Indiana.

2H. Docket No. 05120018 DP/ADLS: Old Meridian Professional Building

The applicant seeks to create a 2 story, 19,526 sq. ft. medical office building on 2.44 acres. The site is located at 12065 Old Meridian Street and is zoned B6 within the US 31 Overlay. Filed by Kevin Roberts of DeBoy Land Development for Allen Commercial Group.

Paul Reis, attorney, Drewy Pitts & Vornehm, 8888 Keystone Crossing, Suite 1200 appeared before the Commission representing the applicant.

The petitioner failed to publish notice in the newspaper, however the adjoining property owners were noticed as required. Following some discussion, the consensus was to suspend the Rules of Procedure in order to hear this item, refer it to Committee, and keep the public hearing open for the February meeting.

Leo Dierckman made formal motion to suspend the Rules of Procedure and hear this item this evening, seconded by Madeleine Torres, Approved 8-0.

Also in attendance: Members of the Allen Commercial Group, developers Bob Wildman, Tony Alderson and Chris Hoff; Kevin Roberts, DeBoy Land Development Services; Sean Curran, Architect.

The Allen Commercial Group specializes in medical and professional office construction. The Allen Group is proposing a specialized medical building for the re-location of two medical practices to the Carmel community: a pediatric physician group, and an Ear-Nose-Throat (ENT) group as well. The proposed two-story building will contain approximately 19, 520 square feet, located southwest of the intersection of Old Meridian and Pennsylvania Streets.

This particular site was brought through the Plan Commission a few years ago; the site is approximately 2.4 acres of undeveloped land and is currently zoned B-6, within the US 31 Overlay Zone. The site is also the entrance to the Old Meridian District and is an important visual parcel to persons moving north from Pennsylvania and coming off of Old Meridian entering into the Old Meridian Redevelopment District. The architecture for the project is consistent with the Old Meridian District Guidelines.

There will be a path around the entire perimeter of the site; to the north of the site is the construction of the round-about of Pennsylvania and Old Meridian and significant land has been dedicated for that purpose. There are approximately 50 feet of right-of-way that was part of the right-of-way that was then US 31 before the road was relocated. The practices that are relocating to this area are already in existence and aware of their patient needs; increased parking is a vital part of the relocation.

There are a number of site plan issues that the petitioner is currently addressing with the City Engineer and the Urban Forester. Those issues deal with being able to maintain the new urban feel of this building coming in to the Old Meridian District and at the same time, addressing some of the right-of-way issues. Those issues will be resolved prior to the Committee meeting, and revised plans will be submitted to Committee members in advance.

At this time, there is no signage for review and the petitioner will return at a later date with a sign package.

Members of the public were invited to speak in favor of or opposition to the petition; no one appeared and the public hearing was closed.

Department Comments, Matt Griffin: The Department is recommending this item be sent to the Special Studies Committee on February 7th—the petitioner is to provide the outlined items for an up-dated packet for review.

Jerry Chomanczuk commented that more landscaping is better.

Madeleine Torres asked about the HVAC equipment and how that would be addressed. Madeleine also said that she could not get any feel for the architectural style of the building—the pictures are pretty stark.

Sean Curran, architect, presented drawings showing a parapet screen wall—all of the mechanical equipment for the building will be located within that space and completely screened from view.

Paul Reis said he would distribute up-dated renderings of the building to the Committee.

Docket No. 05120018 DP/ADLS, Old Meridian Professional Building was referred to the Special Studies Committee for further review on Feb 07, 2006 in the Caucus Rooms of City Hall, Carmel, Indiana.

- 3H. Docket No. 06010004 Z: Carmel Drive – Range Line Road Overlay Expansion**
The applicant seeks to rezone 30 parcels from R1/Residence, B1/Business, B2/Business, B3/Business and I1/Industrial to R1/Residence within the Carmel Drive – Range Line Rd Overlay, B1/Business within the Carmel Drive – Range Line Rd Overlay, B2/Business within the Carmel Drive – Range Line Rd Overlay, B3/Business within the Carmel Drive – Range Line Rd Overlay and I1/Industrial within the Carmel Drive – Range Line Rd Overlay in order to expand the boundaries of the Carmel Drive – Range Line Rd Overlay Zone.
The area is located along Range Line Road from 136th Street to US 31.
Filed by the City of Carmel.

Adrienne Keeling, Department of Community Services appeared before the Commission representing the City of Carmel. The City is proposing to expand the Carmel Drive/Range Line Road Overlay Zone to north of Old Town.

Currently, the Overlay Zone that was initially adopted in 2004 exists along Range Line Road south of Old Town down to 116th Street and reaches parts of Carmel Drive just east and west of Range Line Road.

The proposal affects 30 parcels and is located (the first two parcels) just south of 136th Street, north along Range Line Road to US 31. The purpose of the proposed expansion is to adopt development standards that would serve this transitional area between Old Town and Clay Terrace. The underlying zoning, whether residential, business or industrial, will remain; however, the zones will be subject to the development standards within the Overlay Zone.

The Department is recommending that this item be referred to the Subdivision Committee for further review on February 7, 2006.

Remonstrance/Organized:

Donald Selander, architect with Harold Sark & Assoc., appeared before the Commission representing client Gary Runyon, Runyon Rentals, owner of the property currently being leased to Nations Rent. The lease terminates shortly and Mr. Runyon is considering relocating his current rental to that particular location and expanding his business. One of the concerns is a sewer issue that runs through the property, but the main concern with the Overlay Zone is that most of the businesses being redeveloped are being asked to move their buildings closer to the street to continue that feel. Considering the nature of Mr. Runyon's business, most of the parking is to the front and a lot of displays of the rental equipment are located on the street side for customer visibility. Mr. Runyon's concern is whether or not he would have to follow the strict guidelines—that would probably mean he would not re-develop there—or would Mr. Runyon be able to work with the Department and counsel to work out an agreement to create the expansion?

Jerry Chomanczuk suggested that Mr. Selander's comments be addressed at the Committee level.

Department Comments, Matt Griffin: The Department concurs with comments made by Adrienne Keeling.

Madeleine Torres asked how this proposal would impact the current business owners if they were to come before the Commission for re-development.

Sue Westermeier asked for a better detail map for review.

Leo Dierckman recalled that at the time Mr. Runyon located on Carmel Drive, he was granted a removable sign (pursuant to his request) that would allow for community-oriented announcements and there has never been a community-oriented announcement noted at this location. Item 2: One of the concerns and reasons for wanting buildings moved closer to the road and not have large parking areas is to prevent "effectively advertising" in the front of the building. What we see now are large cranes, fully elevated over three stories for weekend advertising. A lot of effort was made on the building, but a few little things change the entire complexion. This could be discussed at Committee.

Docket No. 06010004 Z, Carmel Drive – Range Line Road Overlay Expansion was referred to the Subdivision Committee for further review on February 07, 2006 in the Caucus Rooms of City Hall, Carmel, Indiana.

I. Old Business

II. Docket No. 05100038: Clarian North Expansion

The applicant seeks to create 1 medical office building, as an addition to the existing Clarian North facility, on 57.950 acres.

The site is located at 11700 North Meridian Street and is zoned PUD (US 31 Overlay District).

Filed by Joseph Scimia of Baker & Daniels for Clarian Health Partners, Inc.

Roger Kilmer, Land Use Consultant with Baker & Daniels appeared before the Commission representing Clarian Health Partners. Also in attendance: Adam Kaiser, Jacobs Construction Management; Dennis Veercamp, Viagi Engineers.

At this time, Clarian is requesting DP/ADLS Amend approval for a medical office building, the second medical office building for Clarian. The proposed building consists of approximately 133,000 square feet, 5 stories in height, plus a screening wall for the HVAC units and related mechanicals. The addition is consistent with exterior building materials and color to the existing, original project and also consistent with the overall concept plan.

The Special Studies Committee reviewed this project on January 3rd and there were three primary items that were discussed: Pedestrian Connectivity (walks and paths around the facility) Signage/street addressing on the buildings for easy location, and Landscaping status. At the time of the Special Studies Committee meeting, the petitioner had not yet received comments from the City Urban Forester. Those comments were received January 9th. Four of the items were routine; however the fifth item pertained to special planting requirements for the trees that are proposed for the parking lot islands. The concern was for the longevity of the trees.

Mr. Kilmer commented that at the scale of this project, the total cost would be approximately \$47,000 and the petitioner would like to investigate some alternative solutions with the Urban Forester. At this time, Mr. Kilmer asked for approval of the DP/ADLS contingent upon approval from Scott Brewer of the landscape plan.

Department Comments: Matt Griffin noted that the Department has no additional concerns regarding this project and requests that the Commission consider approving this item as forwarded by the Committee.

Jerry Chomanczuk reported that the building is part of the original, entire Clarian PUD and went through a very thorough analysis and review process. The Committee looked at parking, lighting, connectivity from the new building to the main building, the surrounding trail, etc. The Committee voted 5-0 for a positive recommendation.

Apparently the situation with the trees is not just the initial cost but also the procedure for planting the trees. The petitioner would like to explore other options or alternatives with the Urban Forester. The petitioner would like not to spend \$1,000 in special soil for each tree planted. The concern is for 47 of the trees—not all of the trees. The petitioner would like an opportunity for open dialogue with the Urban Forester for alternatives or solutions.

Leo Dierckman commented that the overall project is absolutely huge, a wide open, asphalt village with cars and there needs to be the proper conditions for trees to grow.

Again, the petitioner would like an opportunity to discuss alternatives with the Urban Forester.

Steve Stromquist made formal motion to approve **Docket No. 05100038 ADLS Amend/DP, Clarian North Expansion**, subject to conversation/open dialogue and approval by the City Urban Forester of the planting of 47 trees within the parking islands of the parking lot, seconded by Rick Ripma, **APPROVED 8-0.**

2I. Docket No. 05120002 OA: Patch VI – Ordinance Amendment

The applicant seeks to Amend Chapter 6: Standards of Design and Chapter 9: Plat Certificates, Deed of Dedication of the Carmel Subdivision Control Ordinance. The applicant seeks to Amend Chapter 3: Definitions; Chapter 5: S-1/Residence District; Chapter 23C: US Highway 421 – Michigan Road Corridor Overlay Zone; Chapter 23F: Carmel Drive - Range Line Road Overlay Zone; Chapter 25: Additional Use Regulations; Chapter 25.07: Sign Ordinance and Appendix A: Schedule of Uses of the Carmel Zoning Ordinance.

Filed by the Carmel Department of Community Services.

Adrienne Keeling, Long Range Planner with the Department of Community Services appeared before the Commission representing the applicant. This particular item was before the Commission for public hearing on December 20, 2005. The Ordinance Amendment was extensively reviewed by the Subdivision Committee on January 3, 2006.

Adrienne Keeling explained that the Committee had removed language that dealt with Mining, Chapter 5 of the Zoning Ordinance and language dealing with the Michigan Road Overlay, Chapter 23C. Along with the mining language, Appendix A changes would be removed. Other notable amendments that took place at Committee are high-lighted in the information packets.

There are also some clarifications in definitions of permanent and temporary signs. Another revision: a maximum of 5 lots would need to occur before the subdivision construction sign would need to be removed; the Committee added a stipulation that this is subject to the determination by the Director of the Dept.

The Department is recommending that this item be forwarded to the City Council with a favorable recommendation.

Committee Report, Rick Ripma: The Committee separated some of the items out of the document so that they could go through the balance of the information. The Committee felt comfortable with those items.

Madeleine Torres asked about the number of lots that could constitute a subdivision.

Matt Griffin responded that if land is cut less than five acres, it is a subdivision unless access is derived directly from a public right-of-way and there is at least 50 feet of frontage on a right-of-way.

Rick Ripma made formal motion to forward **Docket No. 05120002 OA: Patch VI-Ordinance Amendment** to the City Council with a positive recommendation, seconded by Madeleine Torres, **Approved 8-0**.

Rick Ripma made formal motion to direct the Department to initiate new Ordinances on the topics of mining and Michigan Road, seconded by Madeleine Torres, Approved 8-0.

J. New Business

1J. Docket No. 05120021 ADLS: Ritz Charles

The applicant seeks to build a glass building adjacent to the existing Ritz Charles building.

The site is located at 12156 North Meridian Street and is zoned B-6.

Filed by E. Davis Coots of Coots, Henke, and Wheeler for Chuck Lazzara.

Dave Coots, Coots, Henke & Wheeler appeared before the Commission representing the applicant. Chuck Lazzara, owner of the Ritz Charles was also in attendance.

The applicant is seeking permission to construct a glass building adjacent to the existing Ritz Charles building in order to accommodate overflow functions without having to construct a tent in inclement weather.

Chuck Lazzara has agreed to make the glass building a permanent structure with a metal roof—same dimensions as the tent. The glass structure would be seasonal only, no heating or air conditioning, no plumbing facilities.

Department Comments, Matt Griffin: The Department would prefer Committee review.

The Commission agreed and Docket No. 05120021 ADLS, Ritz Charles was forwarded to the Special Studies Committee for further review.

Leo Dierckman made formal motion to grant the Special Studies Committee full ability to approve **Docket 05120021 ADLS, Ritz Charles**, rather than having it return to the full Commission, seconded by Susan Westermeier, **Approved 8-0**.

There was no further business to come before the Commission and the meeting adjourned at 7:45 P.M.

Jerry Chomanczuk, President

Ramona Hancock, Secretary